

CONVEYANCE OF CERTAIN PROPERTY CONTAINING FISH  
AND WILDLIFE FACILITY TO THE STATE OF WYOMING

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JULY 26, 1996.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

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Mr. YOUNG of Alaska, from the Committee on Resources,  
submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 3579]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3579) to direct the Secretary of the Interior to convey certain property containing a fish and wildlife facility to the State of Wyoming, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

**SECTION 1. CONVEYANCE OF CERTAIN PROPERTY TO WYOMING.**

(a) CONVEYANCE.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall convey to the State of Wyoming without reimbursement, all right, title, and interest of the United States in and to the property described in subsection (b).

(b) DESCRIPTION OF PROPERTY.—The property referred to in subsection (a) is the property commonly known as “Ranch A” in Crook County, Wyoming, consisting of approximately 680 acres of land including all real property, buildings, and all other improvements to real property, and all personal property including art, historic light fixtures, wildlife mounts, draperies, rugs, and furniture directly related to the site, including personal property on loan to museums and other entities, at the time of transfer.

(c) USE AND REVERSIONARY INTEREST.—

(1) USE.—The property conveyed to the State of Wyoming under this section shall be retained in public ownership and be used by the State for the purposes of—

- (A) fish and wildlife management and education; and
- (B) using, maintaining, displaying, and restoring, through State or local agreements, or both, the museum quality real and personal property and the historical interests and significance of the real and personal property, consistent with applicable Federal and State laws.

(2) ACCESS BY INSTITUTIONS OF HIGHER EDUCATION.—The State of Wyoming shall provide access to the property for institutions of higher education at a compensation level that is agreed to by the State and the institution of higher education.

(3) REVERSION.—If the property described in subsection (b) is not used for a purpose consistent with paragraphs (1) and (2), all right, title, and interest in and to the property shall revert to the United States.

#### PURPOSE OF THE BILL

The purpose of H.R. 3579 is to direct the Secretary of the Interior to convey certain property, known as “Ranch A,” to the State of Wyoming.

#### BACKGROUND AND NEED FOR LEGISLATION

The property commonly known as “Ranch A” is located in Crook County, Wyoming. It consists of approximately 685 acres plus water rights. The property is found within Sand Creek Canyon and includes the headwaters of Sand Creek. The area is recognized for trout fishing, undisturbed vegetation, surrounding geological formations and an abundance of wildlife. The Ranch A lodge, barn and associated buildings, which cover 19.4 acres, were determined eligible for listing in the National Register of Historic Places in 1981.

The Fish and Wildlife Service’s (FWS) association with Ranch A began in 1963, when the facility was purchased for development as a fish genetics research laboratory. The original acquisition consisted of approximately 885 acres; however, 200 acres were surplus through the General Services Administration in 1965. The FWS’s Division of Research built two laboratory buildings (RD-1 and RD-2) and a water collection system.

In 1983, Ranch A management was conveyed to the City of Spearfish and the McNenny Hatchery was conveyed to the State of South Dakota. In 1986, the function of fish diet development performed at Ranch A was reassigned to the facility at Bozeman, Montana, and an audit by the Department of the Interior’s Office of Inspector General recommended disposing of the property.

In 1986, the FWS entered a long-term agreement with the Wyoming Department of Game and Fish. The State was responsible for all costs to maintain, repair and operate the facility, no annual fees were charged to the State, and the agreement could be mutually dissolved with a one-year notice. During its operation, the Department of Game and Fish hatched and transplanted trout to waters around the State of Wyoming. After proper notice, the Department of Game and Fish discontinued their fish production activities in the summer of 1995.

Today, the majority of the ranch acreage (less than 640 acres) is managed by the Wyoming Department of Game and Fish. There is limited bird hunting on the property and a select area of the Sand Creek stream is open to fishing, with public fishing available at

several locations outside the Ranch A boundary. Nature trails have also been developed and maintained by the Game and Fish Department.

The South Dakota School of Mines and Technology, which has used the lodge and other related structures (barn and garage) for educational purposes since 1980, is interested in maintaining access to these facilities in the future. By transferring the property to the State of Wyoming, private citizens have indicated that money will be raised to renovate and restore Ranch A and the surrounding buildings.

#### COMMITTEE ACTION

H.R. 3579 was introduced on June 5, 1996, by Congresswoman Barbara Cubin (R-WY). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Fisheries, Wildlife and Oceans. Identical legislation, S. 1802, was introduced on May 23, 1996, by Senators Craig Thomas (R-WY) and Alan Simpson (R-WY).

On July 11, 1996, the Subcommittee held a hearing on H.R. 3579. Testimony was received from the Honorable Barbara Cubin and Mr. Gary Edwards, Assistant Director for Fisheries, FWS. In his testimony, Mr. Edwards said that "the Service and the State of Wyoming mutually agree that all parties will benefit from the conveyance of ownership of this facility. The Service would support H.R. 3579 if certain amendments were made to the legislation."

On July 17, 1996, the Committee on Resources met to consider H.R. 3579. The Subcommittee on Fisheries, Wildlife and Oceans was discharged from further consideration of the bill. Congresswoman Barbara Cubin offered an amendment in the nature of a substitute to the bill. The amendment addressed the concerns of the Administration and modified those provisions in the legislation dealing with the description of the conveyance property, how the property will be used and protected in the future, and the conditions under which it may revert to the ownership of the Federal Government. The amendment was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote, in the presence of a quorum.

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1. Conveyance of certain property to Wyoming*

Section 1(a) directs the Secretary of the Interior to convey to the State of Wyoming, within 180 days and without reimbursement, all right, title, and interest of the United States in and to the "Ranch A" property for use by the State.

Section 1(b) states that the "Ranch A" property is located in Crook County, Wyoming, consisting of approximately 680 acres including all real property, buildings, and all other improvements to real property, and all personal property including art, historic light fixtures, wildlife mounts, draperies, rugs and furniture directly related to the site, including personal property on loan to museums and other entities, at the time of transfer.

Section 1(c) mandates that the property shall revert to the United States if the State of Wyoming decides to no longer use the

property as part of fish and wildlife management, educational purposes, and consistent with applicable Federal and State laws, for using, maintaining, displaying and restoring the real and personal property, including historical interests and significance of the property. This section also requires the State of Wyoming to provide access to the property to institutions of higher education.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(l)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

#### INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 3579 will have no significant inflationary impact on prices and costs in the operation of the national economy.

#### COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 3579. However, clause 7(d) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

#### COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 3579 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 3579.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 3579 from the Director of the Congressional Budget Office.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,  
 CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, July 23, 1996.*

Hon. DON YOUNG,  
*Chairman, Committee on Resources, House of Representatives,*  
*Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 3579, a bill to direct the Secretary of the Interior to convey certain property containing a fish and wildlife facility to the state of Wyoming, and for other purposes, as ordered reported by the House Committee on Resources on July 17, 1996.

H.R. 3579 would direct the Secretary of the Interior to convey about 680 acres of land and related property located in Wyoming to the state, without reimbursement. We expect that implementing this bill would have no significant impact on the federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 3579 contains no intergovernmental or private-sector mandates as defined in Public Law 104-4 and would impose no costs on state, local, or tribal governments.

CBO expects that the state of Wyoming would voluntarily accept title to the property and would seek to enter into a partnership with a private foundation to restore buildings on the site. We estimate that the cost of this project to the state and/or foundation would be about \$2 million.

On June 25, 1996, CBO prepared an estimate of S. 1802, as ordered reported by the Senate Committee on Environment and Public Works on June 20, 1996. The bills and the two estimates are identical.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Deborah Reis (for federal costs) and Marjorie Miller (for the state and local impact).

Sincerely,

JUNE E. O'NEILL, *Director.*

## COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 3579 contains no unfunded mandates.

## CHANGES IN EXISTING LAW

If enacted, H.R. 3579 would make no changes in existing law.

## ADDITIONAL VIEWS

This bill transfers a Fish and Wildlife Service property known as “Ranch A” and the 680 acres of land now associated with the Ranch to the State of Wyoming. The legislation, which has been employed in the transfer of several fish hatcheries in recent years, gives ownership to the State because the Fish and Wildlife Service is no longer able to or interested in managing the property as part of its research system.

In this case, though the Fish and Wildlife Service and the State of Wyoming agree that the transfer of the “Ranch A” to State management could be beneficial, there is not unanimity in this view, and there are still unresolved issues that must be addressed. In particular, while there seems to be no disagreement over the transfer to the State the buildings and other facilities that comprise the Ranch itself, there is disagreement over the transfer and future management of the surrounding land which totals almost 680 acres.

This legislation would transfer the land to the State along with “Ranch A”. Because the property is surrounded on three sides by federal land and because of its significant environmental attributes, however, we are not convinced that the State should take responsibility for the land surrounding the Ranch, nor are we assured that sufficient guidelines have been established for its management.

In addition, there are still concerns regarding water rights and future use of and access to the property. While efforts were made by those interested in the legislation to resolve all these concerns, the bill as reported still does not adequately address them. It is our hope that these problems can be remedied before the bill is brought to the floor.

The dispute over the disposition of land raises a larger question of the Administration’s approach to divesting itself of federal properties without consideration of alternative agency management opportunities or without compensation to the U.S. taxpayer. We have serious reservations about the piecemeal approach to property giveaways that the Fish and Wildlife Agency now employs which seems only to consider properties in terms of their management costs and not their greater intrinsic value. While this 680 acres may seem like a small parcel, it is indicative of a continuing trend that needs to be examined in a broader context.

GEORGE MILLER.  
TIM JOHNSON.

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